

F.No. 23011/34/2016 - FRA
Government of India
Ministry of Tribal Affairs

Shastri Bhawan, New Delhi
5th April, 2017

To

1. All Principal Secretaries/Secretaries in charge of State Tribal Welfare Departments. (All States except Jammu and Kashmir, Punjab and Haryana)
2. Administrators (All UT except Chandigarh)

Subject: Provision of Funds from TSP for undertaking activities under Forest Rights Act -2006


Sir,

Please refer to this Ministry's circular of even number dated 21.03.2017 on the above subject requesting the State Govts/UTs to utilize the State TSP fund, as well as other funds viz SCA to TSP, Proviso to Article 275 (1) of the Constitution of India MGNREGA, funds for forestry available with the Gram Panchayat, funds under CAMPA for the implementation of FRA.

2. In continuation, this Ministry has observed that Section 9B(1) of the Mines and Minerals (Development and regulation) Amendment Act, 2015 provides that *in any district affected by mining related operations, the State Government shall, by notification, establish a trust, as a non-profit body, to be called the District Mineral Foundation*. Further, Section 9B(2) of the said act provides that *the object of the District Mineral Foundation shall be to work for the interest and benefit of persons, and areas affected by mining related operations in such manner as may be prescribed by the State Government*; and also Section 9B(4) of the said act provides that *the State Government while making rules under sub-sections (2) and (3) shall be guided by the provisions contained in article 244 read with Fifth and Sixth Schedules to the Constitution relating to administration of the Scheduled Areas and Tribal Areas and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006*.

3. You are, therefore, requested that the fund of the above said trust i.e. District Mineral Foundation may also be utilized, in addition to the funds enumerated in para 7 of this Ministry's circular, referred to above, for effective implementation of FRA Act, 2006 so that maximum benefit can reach the Tribal communities dependent on forests for their livelihood.

Yours faithfully,



(Rajesh Aggarwal)
Joint Secretary to the Govt. of India
Tel No: 011-23073489